

Union Calendar No. 282

110TH CONGRESS
1ST SESSION

H. R. 236

[Report No. 110–458]

To authorize the Secretary of the Interior to create a Bureau of Reclamation partnership with the North Bay Water Reuse Authority and other regional partners to achieve objectives relating to water supply, water quality, and environmental restoration.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2007

Mr. THOMPSON of California (for himself and Ms. WOOLSEY) introduced the following bill; which was referred to the Committee on Natural Resources

DECEMBER 4, 2007

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on January 4, 2007]

A BILL

To authorize the Secretary of the Interior to create a Bureau of Reclamation partnership with the North Bay Water Reuse Authority and other regional partners to achieve objectives relating to water supply, water quality, and environmental restoration.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “North Bay Water Reuse*
 5 *Program Act of 2007”.*

6 **SEC. 2. PROJECT AUTHORIZATION.**

7 *(a) IN GENERAL.—The Reclamation Wastewater and*
 8 *Groundwater Study and Facilities Act (Public Law 102–*
 9 *575, title XVI; 43 U.S.C. 390h et seq.) is amended by add-*
 10 *ing at the end the following:*

11 **“SEC. 16____. NORTH BAY WATER REUSE PROGRAM.**

12 *“(a) DEFINITIONS.—In this section:*

13 *“(1) ELIGIBLE ENTITY.—The term ‘eligible enti-*
 14 *ty’ means a member agency of the North Bay Water*
 15 *Reuse Authority of the State located in the North San*
 16 *Pablo Bay watershed in—*

17 *“(A) Marin County;*

18 *“(B) Napa County;*

19 *“(C) Solano County; or*

20 *“(D) Sonoma County.*

21 *“(2) WATER RECLAMATION AND REUSE*
 22 *PROJECT.—The term ‘water reclamation and reuse*
 23 *project’ means a project carried out by the Secretary*
 24 *and an eligible entity in the North San Pablo Bay*
 25 *watershed relating to—*

- 1 “(A) *water quality improvement;*
- 2 “(B) *wastewater treatment;*
- 3 “(C) *water reclamation and reuse;*
- 4 “(D) *groundwater recharge and protection;*
- 5 “(E) *surface water augmentation; or*
- 6 “(F) *other related improvements.*

7 “(3) *STATE.*—*The term ‘State’ means the State*
 8 *of California.*

9 “(b) *NORTH BAY WATER REUSE PROGRAM.*—

10 “(1) *IN GENERAL.*—*Contingent upon a finding*
 11 *of feasibility, the Secretary, acting through a coopera-*
 12 *tive agreement with the State or a subdivision of the*
 13 *State, is authorized to enter into cooperative agree-*
 14 *ments with eligible entities for the planning, design,*
 15 *and construction of water reclamation and reuse fa-*
 16 *cilities and recycled water conveyance and distribu-*
 17 *tion systems.*

18 “(2) *COORDINATION WITH OTHER FEDERAL*
 19 *AGENCIES.*—*In carrying out this section, the Sec-*
 20 *retary and the eligible entity shall, to the maximum*
 21 *extent practicable, use the design work and environ-*
 22 *mental evaluations initiated by—*

23 “(A) *non-Federal entities; and*

24 “(B) *the Corps of Engineers in the San*
 25 *Pablo Bay Watershed of the State.*

1 “(3) *PHASED PROJECT*.—A cooperative agree-
2 ment described in paragraph (1) shall require that
3 the North Bay Water Reuse Program carried out
4 under this section shall consist of 2 phases as follows:

5 “(A) *FIRST PHASE*.—During the first
6 phase, the Secretary and an eligible entity shall
7 complete the planning, design, and construction
8 of the main treatment and main conveyance sys-
9 tems.

10 “(B) *SECOND PHASE*.—During the second
11 phase, the Secretary and an eligible entity shall
12 complete the planning, design, and construction
13 of the sub-regional distribution systems.

14 “(4) *COST SHARING*.—

15 “(A) *FEDERAL SHARE*.—The Federal share
16 of the cost of the first phase of the project author-
17 ized by this section shall not exceed 25 percent
18 of the total cost of the first phase of the project.

19 “(B) *FORM OF NON-FEDERAL SHARE*.—The
20 non-Federal share may be in the form of any in-
21 kind services that the Secretary determines
22 would contribute substantially toward the com-
23 pletion of the water reclamation and reuse
24 project, including—

1 “(i) reasonable costs incurred by the el-
 2 igible entity relating to the planning, de-
 3 sign, and construction of the water reclama-
 4 tion and reuse project; and

5 “(ii) the acquisition costs of land ac-
 6 quired for the project that is—

7 “(I) used for planning, design,
 8 and construction of the water reclama-
 9 tion and reuse project facilities; and

10 “(II) owned by an eligible entity
 11 and directly related to the project.

12 “(C) *LIMITATION.*—The Secretary shall not
 13 provide funds for the operation and maintenance
 14 of the project authorized by this section.

15 “(5) *EFFECT.*—Nothing in this section—

16 “(A) affects or preempts—

17 “(i) State water law; or

18 “(ii) an interstate compact relating to
 19 the allocation of water; or

20 “(B) confers on any non-Federal entity the
 21 ability to exercise any Federal right to—

22 “(i) the water of a stream; or

23 “(ii) any groundwater resource.

24 “(6) *AUTHORIZATION OF APPROPRIATIONS.*—

25 There is authorized to be appropriated for the Federal

1 *share of the total cost of the first phase of the project*
2 *authorized by this section \$25,000,000, to remain*
3 *available until expended.”.*

4 *(b) CONFORMING AMENDMENT.—The table of sections*
5 *in section 2 of Public Law 102–575 is amended by inserting*
6 *after the last item relating to title XVI the following:*

 “Sec. 16____. North Bay water reuse program.”.

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